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Official *[Signature]***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Banas
 Serial No.: 09/772,274
 Filed: 01/29/01
 Group Art Unit: 2632
 Examiner: Nguyen, P.
 Title: METHOD TO ALERT A DROWSY DRIVER

Box AF
 Assistant Commissioner of Patents
 Washington, D.C. 20231

REPLY BRIEF

Dear Sir:

This is in reply to the Examiner's Answer mailed July 30, 2002. The Examiner's Answer raises two arguments which require some brief response.

ARGUMENTS RELATING TO LOWERING THE TEMPERATURE IN THE VEHICLE CAB

First, in the last paragraph on page 5, the Examiner argues that it would have been obvious to combine Kawakami which detects awareness of a driver with Saitho which alters environmental conditions.

Answer:

When a decrease in driver awareness is detected, Kawakami provides a warning which is then terminated by the driver. In Saitho, cool air is pumped into the vehicle to alter vehicle conditions. If the cooling system of Saitho was employed in Kawakami, the air in the vehicle would be cooled, but a terminable warning requiring a driver reaction would not be provided as required by Kawakami. There would be no benefit to combining the cooling system of Saitho with the driver awareness system of Kawakami, and claims 19-21 are not obvious.

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ARGUMENTS RELATING TO SUPPLYING OXYGEN IN THE VEHICLE CAR

Finally, on page 6, the Examiner argues that it would have been obvious to combine Kawakami which detects awareness of a driver with Brownlee which discloses supplying gaseous oxygen to the passenger compartment of a vehicle.

Answer:

As previously explained, Kawakami provides a terminable warning when a decrease in driver awareness is detected. Brownlee discloses a system that pumps oxygen into a passenger compartment in response to a drop in oxygen content. If Brownlee was combined with Kawakami, oxygen would be pumped into the passenger compartment when the oxygen level drops below a specific value, and not after a detected increase in driver drowsiness. Additionally, if oxygen was pumped into the passenger compartment, no terminable warning would be provided which requires a driver reaction. Claims 22-24 are further not obvious.

CLOSING

For the reasons set forth above, and for the reasons set forth in the main brief, the rejection must be reversed.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

Karin Butchko

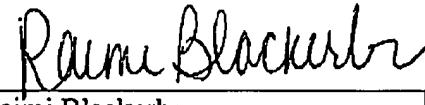
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, TC2600, After Final, 703 872 9315 on August 29, 2002.


Raimi Blackerby

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